

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ELVANO GALLI	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 04CV11544JLT
	)	
F/V BARBARA ANN (O.N. 699442)	)	
her engines, boilers, tackle,	)	
fishing permits and appurtenances,	)	
<i>in rem</i>	)	
	)	
and Louis Pasquale, <i>in personam</i> ,	)	
Defendant.	)	

ORDER FOR INTERLOCUTORY SALE

Upon the Plaintiff's Motion for Interlocutory Sale of Vessel and good reason being shown within said motion, it is now

ORDERED:

- (1) That the defendant vessel F/V BARBARA ANN (O.N. 699442) be sold by the United States Marshal at Gloucester no later than March 23, 2005.
- (2) The Marshal shall advertise the terms of the sale in a notice to be published in the Boston Herald twice within 14 days preceding the sale. Any party may publish a similar notice in other newspapers or other media within or outside the district, but such publication shall be at his expense and shall advertise the sale in accordance with the terms of this order.
- (3) That the Marshal bring the proceeds of such sale into Court, and deposit the same with the Clerk thereof pending the further hearing of this action upon the claim of the plaintiff, and pending the final judgment herein.
- (4) The Marshal is hereby authorized to accept bids from Plaintiff on account of its claim as set forth in the Verified Complaint, without payment in cash at the time of sale up to the amount of \$85,000.00.
- (5) The Marshal is hereby authorized to accept a deposit of twenty five percent of the amount bid for the defendant F/V BARBARA ANN (O.N. 699442), upon condition that the balance of the bid is paid on the date the sale is confirmed, and upon condition that the deposit shall be forfeited by the bidder and applied to the costs of this action if the balance of the bid is not paid when due.
- (6) That the clerk issue a Writ of *Venditioni Exponas* for this sale to occur.

(7) A hearing will be had on March 25, 2005 at 9:00 a.m. to confirm the sale of the vessel.

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JOSEPH L. TAURO, U.S.D.J.

Dated: